

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

BENSLEY CONSTRUCTION, INC., on its own
behalf and on behalf of all others similarly situated,

Plaintiff

v.

MARSH & MCLENNAN COMPANIES, INC.,
MARSH, INC., ACE USA, ACE INA, AMERICAN
INTERNATIONAL GROUP, AMERICAN
REINSURANCE COMPANY, ARTHUR J.
GALLAGHER & CO., HILB ROGAL & HOBBS,
COMPANY, WILLIS GROUP HOLDINGS, LTD.,
WILLIS NORTH AMERICA INC., WILLIS GROUP
LTD., UNIVERSAL LIFE RESOURCES,
UNIVERSAL LIFE RESOURCES, INC. (d/b/a ULR
INSURANCE SERVICES, INC.), THE CHUBB
CORPORATION, USI HOLDINGS, INC., METLIFE,
INC., PRUDENTIAL FINANCIAL, INC.,
UNUMPROVIDENT CORPORATION, THE ST.
PAUL TRAVELERS COMPANIES, INC., ZURICH
AMERICAN INSURANCE COMPANY, LIBERTY
MUTUAL GROUP INC., LIBERTY MUTUAL
INSURANCE COMPANY, LIBERTY MUTUAL
FIRE INSURANCE COMPANY, EMPLOYERS
INSURANCE COMPANY OF WAUSAU, and ST.
JAMES INSURANCE COMPANY LTD.,

Defendants.

FILED FEE PAID:

RECEIPT #

AMOUNT \$

BY DPTY CLK

DATE

Civil Action No.
05-11249 GAO

AUGUST 24, 2005

**MOTION FOR ADMISSION OF H. LEE GODFREY TO PRACTICE BEFORE THIS
COURT PRO HAC VICE**

Pursuant to this Court's Local Rule 83.5.3(b), Mark J. Claflin, a member in good standing of the Bar of this Court and counsel to defendants, ACE USA and ACE INA herein, hereby moves that Attorney H. Lee Godfrey, a member in good standing of the Texas State Bar, the Bar of the District of Columbia, the Bar of the United States

District Court for the District of Colorado, the Southern, Western and Northern Districts of Texas, and the Bar of the United States Courts of Appeals of the Fifth, Ninth and Tenth Circuits, be granted leave to appear on behalf of defendants ACE USA and ACE INA and practice in this Court *pro hac vice* in the above-captioned action.

As set forth in the accompanying Affidavit of H. Lee Godfrey in support of this motion for admission *pro hac vice*:

1. Mr. Godfrey is a partner in the Houston, Texas offices of Suisman Godfrey LLP, 1000 Louisiana Street, Suite 5100, Houston, Texas 77002;
2. Mr. Godfrey is a member in good standing in every jurisdiction in which he is admitted to practice;
3. There are no disciplinary proceedings pending against Mr. Godfrey in any jurisdiction; and
4. Mr. Godfrey is familiar with the local rules of the United States District Court for the District of Massachusetts.

WHEREFORE, Mark J. Claflin respectfully requests that this motion be allowed and that H. Lee Godfrey be granted leave to appear on behalf of defendants, ACE USA and ACE INA and practice in t his Court *pro hac vice* in the above-captioned action.

THE DEFENDANTS,
ACE USA and ACE INA
By its Attorneys



Mark J. Claflin
(BBO# 657175)
Howd & Ludorf, LLC
65 Wethersfield Avenue
Hartford, CT 06114-1190
(860) 249-1361
(860) 249-7665 (Fax)
E-mail: mclaflin@hl-law.com

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been sent to the following counsel of record by U.S. Mail, postage prepaid, this 24th day of August, 2005:

Douglas M. Brooks, Esquire
Martland & Brooks LLP
Stonehill Corporate Center, Suite 500
999 Broadway
Saugus, MA 01906

Kenneth G. Gilman, Esquire
Douglas J. Hoffman, Esquire
Gilman & Pastor, LLC
60 State Street, 37th Floor
Boston, MA 02109

Daniel S. Savrin, Esquire
Joshua Vitullo, Esquire
Bingham, McCutchen LLP
150 Federal Street
Boston, MA 02110

Mitchell J. Auslander, Esquire
John R. Oller, Esquire
Christopher J. St. Jeanos, Esquire
Kristin Branson, Esquire
Wilkie Farr & Gallagher LLP
787 Seventh Avenue
New York, NY 10019-6099

H. Lee Godfrey, Esquire
Neal S. Manne, Esquire
Johnny W. Carter, Esquire
Jeffrey R. Seely, Esquire
Susman Godfrey LLP
1000 Louisiana St., Ste. 5100
Houston, TX 77002

Bruce W. Edmands, Esquire
David B. Hobbie, Esquire
Eckert Seamans Cherin & Mellott, LLC
One International Place
Boston, MA 02110

Brien T. O'Connor, Esquire
Timothy J. Casey, Esquire
Ropes & Gray LLP
One International Place
Boston, MA 02110

Roberta A. Kaplan, Esquire
Paul, Weiss, Rifkind, Wharton &
Garrison LLP
1285 Avenue of the Americas
New York, NY 10019-664

John F. Collins, Esquire
Molly Lehr, Esquire
Kristin Ann Meister
Dewey Ballantine LLP
1301 Avenue of the Americas
New York, NY 10019

Edwin M. Larkin, Esquire
Lina M. Viviano, Esquire
Winston & Strawn, LLP
200 Park Avenue
New York, NY 10166-4193

Terry M. Grimm, Esquire
Stephen C. Schulte, Esquire
Winston & Strawn LLP
35 West Wacker Drive
Chicago, IL 60601

Julianne Balliro, Esquire
Perkins Smith & Cohen LLP
One Beacon Street, 30th Floor
Boston, MA 02108-3106

James V. Masella III, Esquire
Richard C. Pepperman, Esquire
Anastasia A. Angelova, Esquire
Sullivan & Cromwell LLP
125 Broad Street
New York, NY 10004-2498

David Gabianelli, Esquire
Ray L. Wong, Esquire
Ned M. Gelhaar, Esquire
Hancock Rothert and Bunshoft LLP
Four Embarcadero Center, Ste. 300
San Francisco, CA 94111

John A.D. Gilmore, Esquire
DLA Piper Rudnick Gray Cary US LLP
One International Place, 21st Floor
Boston, MA 02110-2600

Laura Besvinick, Esquire
Hogan & Hartson LLP
Mellon Financial Center
1111 Brickell Avenue, Suite 1900
Miami, FL 33131

Ingrid Hlawaty, Esquire
Edwin M. Larkin, Esquire
Lina M. Viviano, Esquire
Winston & Strawn LLP
200 Park Avenue
New York, NY 10166-4193

Ralph T. LePore, III, Esquire
James M. Tierney, Esquire
Holland & Knight LLP
10 St. James Avenue
Boston, MA 02116

Ian Crawford, Esquire
Todd & Weld, LLP
28 State Street, 31st Floor
Boston, MA 02109

Rachel G. Gerstein, Esquire
Patrick C. Schmitter, Esquire
Richard B. Zabel, Esquire
Akin, Gump, Strauss, Hauer & Feld, LLP
590 Madison Avenue
New York, NY 10022-2524

Robert H. Pees, Esquire
Vadim Sarma, Esquire
Akin Gump Strauss Hauer & Feld LLP
590 Madison Avenue
New York, NY 10022-2524

Daniel B. Winslow, Esquire
Patricia R. Rich, Esquire
Duane Morris LLP
470 Atlantic Avenue, Suite 500
Boston, MA 02210

James W. Carbin, Esquire
Eric Breslin, Esquire
Duane Morris LLP
744 Broad Street
Newark, NJ 07102

Barry Y. Weiner, Esquire
Maureen Mulligan, Esquire
Ruberto Israel & Weiner, P.C.
100 North Washington Street
Boston, MA 02114

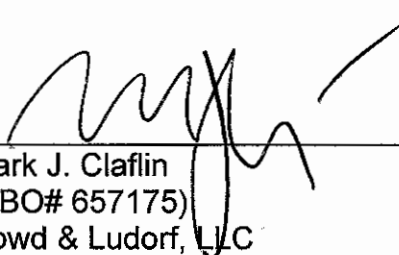
John R. Middleton, Jr., Esquire
Lowenstein Sandler pc
65 Livingston Avenue
Roseland, NJ 07068

Joseph Hamilton, Esquire
Mirick, O'Connell, DeMaillie &
Lougee, LPP
100 Front Street
Worcester, MA 01608-1477

Deborah E. Hryb, Esquire
Patrick W. Shea, Esquire
Paul, Hastings, Janofsky & Walker LLP
1055 Washington Blvd., 9th Floor
Stamford, CT 06901

David H. LaRocca, Esquire
Michael J. Garvey, Esquire
Paul C. Curnin, Esquire
Simpson Thacher & Bartlett LLP
425 Lexington Avenue
New York, NY 10017

Paula M. Bagger, Esquire
Cooke Clancy & Gruenthal, LLP
265 Franklin Street
Boston, MA 02110



Mark J. Claflin
(BBO# 657175)
Howd & Ludorf, LLC
65 Wethersfield Avenue
Hartford, CT 06114-1190
(860) 249-1361
(860) 249-7665 (Fax)
E-mail: mclaflin@hl-law.com

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

BENSLEY CONSTRUCTION, INC., on its own
behalf and on behalf of all others similarly situated,

Plaintiff

v.

MARSH & MCLENNAN COMPANIES, INC.,
MARSH, INC., ACE USA, ACE INA, AMERICAN
INTERNATIONAL GROUP, AMERICAN
REINSURANCE COMPANY, ARTHUR J.
GALLAGHER & CO., HILB ROGAL & HOBBS,
COMPANY, WILLIS GROUP HOLDINGS, LTD.,
WILLIS NORTH AMERICA INC., WILLIS GROUP
LTD., UNIVERSAL LIFE RESOURCES,
UNIVERSAL LIFE RESOURCES, INC. (d/b/a ULR
INSURANCE SERVICES, INC.), THE CHUBB
CORPORATION, USI HOLDINGS, INC., METLIFE,
INC., PRUDENTIAL FINANCIAL, INC.,
UNUMPROVIDENT CORPORATION, THE ST.
PAUL TRAVELERS COMPANIES, INC., ZURICH
AMERICAN INSURANCE COMPANY, LIBERTY
MUTUAL GROUP INC., LIBERTY MUTUAL
INSURANCE COMPANY, LIBERTY MUTUAL
FIRE INSURANCE COMPANY, EMPLOYERS
INSURANCE COMPANY OF WAUSAU, and ST.
JAMES INSURANCE COMPANY LTD.,

Defendants.

Civil Action No.
05-11249 GAO

July 22, 2005

**AFFIDAVIT OF H. LEE GODFREY IN SUPPORT
OF MOTION FOR ADMITTANCE PRO HAC VICE**

I, H. Lee Godfrey, hereby depose and say of my personal knowledge:

1. I am an attorney licensed to practice in Texas and I am a partner in the
Houston, Texas offices of Suisman Godfrey LLP, 1000 Louisiana Street, Suite 5100,
Houston, Texas 77002.

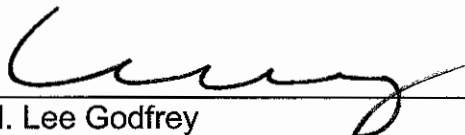
2. I am a member in good standing and eligible to practice before the Texas State Bar, the Bar of the District of Columbia, the Bar of the United States District Court for the District of Colorado, the Southern, Western and Northern Districts of Texas, and the Bar of the United States Courts of Appeals of the Fifth, Ninth and Tenth Circuits.

3. I am currently not suspended or disbarred in any jurisdiction, nor have I ever been suspended or disbarred from the practice of law.

4. I am not the subject of any pending disciplinary matters in any jurisdiction.

5. The defendants, ACE USA and ACE INA have asked me to represent them because of specialized knowledge and experience I have gained from representing them in the past.

Signed under the pains and penalties of perjury this 22nd day of July, 2005.


H. Lee Godfrey

Subscribed and sworn to before me this 22nd day of July, 2005.

